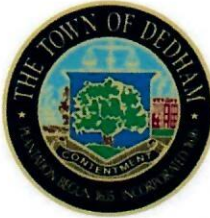


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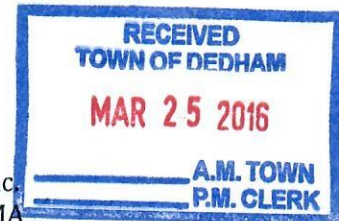
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**TOWN OF DEDHAM
ZONING BOARD OF APPEALS
DECISION**



APPLICANT: George F. Doherty & Son, Inc.
PROJECT ADDRESS: 464 High Street, Dedham, MA
CASE # VAR-02-16-2074
PROPERTY OWNER/ADDRESS: George F. Doherty & Son, Inc., 477 Washington Street, Wellesley, MA 02481
MAP/LOT AND ZONING DISTRICT: 93/100, General Residence
DATE OF APPLICATION: February 19, 2016
MEMBERS PRESENT AND VOTING: James F. McGrail, Esq., J. Gregory Jacobsen, E. Patrick Maguire, LEED AP, Jason L. Mammone, P.E.
PETITION: To be allowed a Special Permit to expand a nonconforming use by allowing the lot of land at 464 High Street to be used as a parking area for the adjacent funeral home business.
SECTION OF ZONING BYLAW: Town of Dedham Zoning Bylaw Sections 3.3.2 and, MGL Chapter 40, Section 9
REPRESENTATIVE: Kevin F. Hampe, Esq., 411 Washington Street, Dedham, MA
DATE FILED WITH TOWN CLERK: *March 25, 2016*

The Zoning Board of Appeals ("ZBA") of the Town of Dedham, Massachusetts held a public hearing on Wednesday, March 16, 2016, at 7:00 p.m. in the Town Office Building, 26 Bryant Street, Dedham, MA. Present were members of the ZBA, James F. McGrail, Esq., Chairman, J. Gregory Jacobsen, Vice Chairman, E. Patrick Maguire, LEED AP, Scott M. Steeves, and Jason L. Mammone, P.E. Member Scott M. Steeves was unable to attend the meeting, and Associate Members Jessica L. Porter and Jared F. Nokes, J.D., were unavailable. There were only four members sitting at the meeting.

The hearings were duly advertised in accordance with the requirements of MGL Chapter 40A, Section 11. Legal ads were placed for two consecutive weeks in *The Dedham Times*. In addition, abutters within 300 feet of the property in question received notification of the

hearings, and notification regarding each hearing was sent to the neighboring towns (Boston, Needham, Canton, and Westwood). Copies of all plans referred to in this decision and a detailed record of the Zoning Board of Appeals proceedings are filed in the Dedham Planning Department.

At 7:23 p.m., the Chairman called for the hearing on the appeal of George F. Doherty & Son, Inc., 477 Washington Street, Wellesley, MA 02481. The applicant seeks to be allowed a Special Permit to expand a nonconforming use by allowing the lot of land at 464 High Street, Dedham, MA, to be used as a parking area as an accessory use for the adjacent funeral home business.

The Subject Property, shown on Dedham Assessors' Map 93, Lot 100, contains approximately 10,900 square feet of land and has approximately 84.8 feet of frontage. According to the Zoning Map for the Town of Dedham, the Subject Property is located in the General Residence Zoning District. Currently, the property is occupied by a two-family dwelling. According to the records maintained by the Dedham Board of Assessors, the dwelling was constructed in 1890.

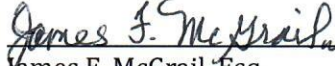
The applicant is seeking a Special Permit to expand a nonconforming use by allowing the lot of land at 464 High Street to be used as a parking area an accessory use for the adjacent funeral home business. This will add 6-10 spaces, and will help with on-street parking on High Street and Crowley Avenue. It is hoped that this will alleviate, to some degree, the congestion with a large wake or funeral. It is to be noted that the applicant will be going before the Planning Board for approval of a new parking plan. Lloyd and Patricia Sampson, 449 High Street, were present and voiced total support for the petition.

Upon motion being duly made by J. Gregory Jacobsen and seconded by E. Patrick Maguire, LEED AP, the ZBA voted 4-0 to grant a special permit to George F. Doherty & Son, Inc., to expand a nonconforming use by allowing the lot of land at 464 High Street to be used as a parking area for the adjacent funeral home business.

In granting of said special permits, the ZBA finds that, after consideration of the criteria in Section 9.3.2 of the Dedham Zoning By-Law, the adverse effects of the Applicant's proposal will not outweigh its beneficial impacts on the Town and neighborhood.

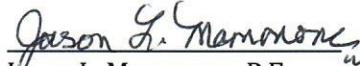
The Applicants are advised that, in accordance with MGL Chapter 40A, Section 11, no special permit shall take effect until a copy of this decision bearing the certification of the Dedham Town Clerk that twenty days have elapsed after the decision has been filed with the Dedham Town Clerk and no appeal has been filed or that an appeal has been filed within such time shall be recorded in the Norfolk County Registry of Deeds or the Land Registration Office of Norfolk County.

Dated: March 16, 2016


James F. McGrail, Esq.


J. Gregory Jacobsen


E. Patrick Maguire, LEED AP


Jason L. Mammone, P.E.

Attest, by the Administrative Assistant:


Susan N. Webster

Materials Submitted:

- ZBA application
- Petition statement prepared by Kevin F. Hampe, Esq., 411 Washington Street, Dedham, MA
- Site plan Existing Conditions, 456 and 464 High Street, Dedham, MA, prepared by Norwood Engineering Co., Inc., 1410 Route One, Norwood, MA 02062